

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 22, 2009**

**DIVISION ONE**

B213346      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 R.P.

The judgment is affirmed.

Miller, J. (Assigned)

We concur:    Mallano, P.J.  
                 Rothschild, J.

B201479      K. Jeffrey Asfour, et al.      (Not for Publication)  
                 v.  
                 Grover H. Nix

The judgment is reversed to the extent it awarded punitive damages and, on remand, the trial court shall enter a new judgment deleting the award of punitive damages. In all other respects, the judgment is affirmed. The Asfours' motion to dismiss portions of the appeal is denied. Nix's motion to dismiss his appeal from that portion of the action related solely to Los Angeles Superior Court Case No. BC345310 is granted. Each party shall bear its own costs on appeal.

Weisberg, J. (Assigned)

We concur:    Mallano, P.J.  
                 Rothschild, J.

DIVISION TWO

[illegible]

The order granting a new trial is modified to preclude a new trial as to the contract-related causes of action in Rosen's complaint, but to permit a new trial as to issues resolved adversely to him in Stovall's cross-complaint. In all other regards, the order under review is affirmed. Each party is to bear its own costs on appeal.

Boren, P.J.

We concur:   Doi Todd, J.  
                      Chavez, J.

B206659      Zabaldo      (Not for Publication)  
v.  
Akselrod, et al.

The order under review is reversed, and the trial court is directed to enter a JNOV in favor of Akselrod and Reliant. Akselrod and Reliant are entitled to costs on appeal.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

B208122 People (Not for Publication)  
v.  
Carreno

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                          Chavez, J.

June 22, 2009 (Continued)

## DIVISION TWO (continued)

B197980      In re Sotero Gomez      (Not for Publication)  
on  
Habeas Corpus

The petition for writ of habeas corpus is denied.

Boren, P.J.

We concur:   Doi Todd, J.  
                      Chavez, J.

B206501      Supervalu Inc.  
v.  
Wexford Underwriting Managers Inc. et al.

Filed order certifying opinion for publication.

DIVISION THREE

B200973      People      (Not for Publication)  
v.  
Manuel Gruz Miranda

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION FOUR

B209179      Haah et al.      (Certified for Publication)  
v.  
Kim

The judgment is affirmed. Haah and Lee shall recover their costs on appeal.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

B209158 People v. Ochoa (Not for Publication)

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.  
Willhite, J.

B205715      People      (Certified for Partial Publication)  
v.  
Govea

The clerk of the superior court is directed to modify the judgment to provide: (1) as to defendant's life sentence, that he serve 14 years before becoming eligible for parole; and (2) that five years be added to his determinate term to reflect the sentence imposed for a prior conviction pursuant to section 667, subdivision (a). The clerk is directed to send a copy of the corrected abstract to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.  
Manella, J.

## DIVISION FOUR (continued)

B207107 People (Not for Publication)  
v.  
Rodriguez

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.  
Willhite, J.

B211409      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Maria H. et al.

The orders of the juvenile court are affirmed.

Suzukawa, J.

We concur: Willhite, Acting P.J.  
Manella, J.

B204682      People      (Not for Publication)  
v.  
Soma

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

DIVISION FOUR (continued)

B205933      Avedikian                      (Not for Publication)  
v.  
Twentieth Centruy Fox Film Corporoation et al.

The judgment is affirmed.

Epstein, P.J.

We concur:   Willhite, J.  
                  Manella, J.

B207068      People                              (Not for Publication)  
v.  
Moody

The judgment is affirmed.

Manella, J.

We concur:   Epstein, P.J.  
                  Willhite, J.

B207673      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Luis I., et al.

The juvenile court's April 28, 2008 order is affirmed.

Manella, J.

We concur:   Epstein, P.J.  
                  Suzukawa, J.

DIVISION FOUR (continued)

B212008      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 R.H.

The orders are affirmed.

Manella, J.

We concur:    Willhite, Acting P.J.  
                 Suzukawa, J.

B209783      Miller et al.                              (Not for Publication)  
                 v.  
                 AC Horticultural Management, Inc.

The judgment is affirmed. Appellants are to bear their own costs on appeal.

Manella, J.

We concur:    Willhite, Acting P.J.  
                 Suzukawa, J.

DIVISION FIVE

B208334      Wayne Barber et al                      (Not for Publication)  
                 v.  
                 Robert Mendoza et al

The judgment is reversed. Each party to bear their own costs.

Armstrong, J.

We concur:    Turner, P.J.  
                 Mosk, J.

DIVISION FIVE (continued)

B209419 Kathleen Vasan  
v.  
Bryan Volkermyr et al

Filed order dismissing appeal after issuance of an order to show cause re  
appealability. Appeal (notice of appeal filed July 10, 2008) dismissed.

DIVISION SIX

B207203 People (Not for Publication)  
v.  
Perez

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B211954 People (Not for Publication)  
v.  
Miguel Hernandez

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.



June 22, 2009 (Continued)

DIVISION SEVEN

B203597      People                                  (Not for Publication)  
v.  
Vasquez, et al.,

The judgment as to Vasquez is affirmed. The judgment as to Sanchez is modified, and the abstract of judgment ordered corrected, to impose only a single one-year enhancement under Penal Code section 667.5, subdivision (b), in connection with either case number SA016791 or BA129320. The superior court is directed to prepare a corrected abstract of judgment in conformity with this opinion and forward it to the Department of Corrections and Rehabilitation. In all other respects, the judgment as to Sanchez is affirmed.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.

B208757      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
F. C.

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.  
Jackson, J.

DIVISION SEVEN (continued)

B209063      People                                  (Not for Publication)  
v.  
Martinez et al.,

The judgments are each modified to strike the \$5,030 fines imposed under Government Code section 70372, subdivision (a), and to restate the presentence custody credits in the amount of 2,011 days. The superior court is directed to prepare corrected abstracts of judgment and to forward them to the Department of Corrections and Rehabilitation. In all other respects, the judgments are affirmed.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.

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The order of the Superior Court is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Jackson, J.

[illegible]

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Jackson, J.

DIVISION SEVEN (continued)

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The judgment is reversed and remanded for the trial court to strike the unauthorized section 12022.53, subdivision (b) enhancement as to count 6, the conviction for false imprisonment. The abstract of judgment and the clerk's minute order are ordered corrected to reflect the proper sentence on count 1 and accompanying firearm-use enhancement under section 12022.53, subdivision (b). The trial court shall forward a copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.  
Jackson, J.

B205507 People (Not for Publication)  
v.  
Hawkins

The case is remanded for resentencing as to the enhancements imposed on count two, first degree burglary, pursuant to section 12022.7, subdivision (a), section 12022, subdivision (b)(1), and section 667.5, subdivision (b). In all other respects the judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.

DIVISION EIGHT

B210476      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
K.W.  
In re B.E., a Person Coming Under the Juvenile Court Law.

The order is affirmed.

Bauer, J. (Assigned)

We concur: Rubin, Acting P.J.  
Bigelow, J.

B199013      Lance Jay Robbins      (Certified for Publication)  
v.  
Jeff Davi

The judgment is affirmed. The Real Estate Commissioner is to recover his costs on appeal.

Bauer, J. (Assigned)

We concur: Rubin, Acting P.J.  
Flier, J.

B214991      In re K.R. et al., Minors  
Los Angeles County, D.C.F.S.  
v.  
R.R.

B214993      In re G.R., et al., Minors  
Los Angeles County, D.C.F.S.  
v.  
R.R.

Filed order consolidating above captioned appeals.